

UNITED STATES BANKRUPTCY COURT
District of New Jersey

Caption in Compliance with D.N.J. LBR 9004-1(b)

Albert Russo
Cn 4853
Trenton, NJ 08650
(609) 587-6888

In re:

Joseph LaMountain
Mary M. LaMountain

Debtor(s)



Order Filed on May 8, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 16-26435 / MBK

Hearing Date: 04/25/2017

Judge: Michael B. Kaplan

Chapter: 13

ORDER CONFIRMING CHAPTER 13 PLAN

The relief set forth on the following pages, numbered two (2) through three (3) is **ORDERED**.

DATED: May 8, 2017

A handwritten signature in black ink, appearing to read "Michael B. Kaplan".
Honorable Michael B. Kaplan
United States Bankruptcy Judge

The plan of the debtor having been proposed to creditors, and a hearing having been held on the confirmation of such plan, and it appearing that the applicable provisions of the Bankruptcy Code have been complied with; and for good cause shown, it is

ORDERED that the plan of the above named debtor, dated 08/29/2016, or the last amended plan of the debtor be and it is hereby confirmed. The Standing Trustee shall make payments in accordance with 11 U.S.C. § 1326 with funds received from the debtor.

ORDERED that the plan of the debtor is confirmed to pay the Standing Trustee for a period of 36 months.

ORDERED that the debtor shall pay the Standing Trustee, Albert Russo, based upon the following schedule, which payments shall include commission and expenses of the Standing Trustee in accordance with 28 U.S.C. § 586:

\$75.00 for 36 months beginning 9/1/2016

The balance of the plan shall be paid by the debtor(s) from non-exempt proceeds from sale of 3 Locust Way by 4/30/2018.

ORDERED that the case is confirmed at 100%, which includes a minimum of \$16,840.00 dividend to general unsecured creditors due to non-exempt equity in property.

ORDERED that the Standing Trustee shall be authorized to submit, ex parte, an Amended Confirming Order, if required, subsequent to the passage of the claims bar date(s) provided under Fed. R. Bank. P. 3002.

ORDERED that the debtor's attorney be and hereby is allowed a fee pursuant to the filed 2016(b) Statement. Any unpaid balance of the allowed fee shall be paid to said attorney through the Chapter 13 plan by the Standing Trustee.

ORDERED that if the debtor should fail to make plan payments or fail to comply with other plan provisions for a period of more than 30 days, the Standing Trustee may file, with the Court and serve upon the Debtor and Debtor's Counsel, a Certification of Non-Receipt of Payment and request that the debtor's case be dismissed. The debtor shall have fourteen (14) days within which to file with the Court and serve upon the Trustee a written objection to such Certification.

ORDERED that upon completion of the plan, affected secured creditors shall take all steps necessary to remove of record any lien or portion of any lien discharged.

ORDERED that the Standing Trustee is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. § 1305(a).

ORDERED that the claim of Midland Funding, LLC, court claim #4-1, will be paid as if in the plan, and the Trustee is authorized to pay such claim.

ORDERED that the claim of Midland Funding, LLC, court claim #5-1, will be paid as if in the plan, and the Trustee is authorized to pay such claim.

ORDERED as follows:

Debtors are to complete a sale of property located at 3 Locust Way by 4/30/2018, and any non-exempt proceeds of said sale or refinance shall be paid to the Trustee for the benefit of creditors.

Creditors Bayview Loan Servicing, LLC, PACER Claim #3-1, JPMorgan Chase Bank, NA, PACER Claim #6-1, and E. Bruce Wetzel, Jr., claim not yet filed, shall not be paid through the Chapter 13 Plan; said creditors will be paid in full outside the Chapter 13 Plan from the sale of 3 Locust Way.

Order Resolving Objection of creditor Bayview Loan Servicing, LLC, PACER Claim #3-1, to be filed by 6/5/2017.